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August 2, 2012

The Honorable Douglas E. Arpert  
United States Magistrate Judge  
Clarkson S. Fisher Fed. Building & U.S. Courthouse  
402 East State Street  
Trenton, NJ 08608

Re: Jacobson v. Synthes, Inc., et al.  
Docket No. 11-CV-01160 (AET) (DEA)

Dear Judge Arpert:

As Your Honor is aware, our office represents the plaintiff in connection with the above-captioned matter. At this time, we write to request that a phone conference be conducted with Your Honor to discuss the production of our client's liability report authored by Dr. Pattanayak.

On July 31<sup>st</sup>, our office advised the Court of Dr. Pattanayak taking ill and being unable to supply his report at that time. In speaking with Dr. Pattanayak's office, it appeared that his report would be supplied by tomorrow, August 3<sup>rd</sup>. After numerous follow ups, we have just been informed that Dr. Pattanayak has been seeing doctors this week and was hospitalized today for complications associated with Hypertension. Additionally, we have been advised that Dr. Pattanayak has been treating for this condition over the past few months which has necessitated absences from work.

We have been advised that the report is largely complete. However, it cannot be supplied by tomorrow's deadline due to Dr. Pattanyak's medical condition.

Again, we apologize for any inconvenience this causes the Court or Mr. Covey.

If the Court is inclined to grant our request for a phone conference, our office will immediately schedule same.

Thank you in advance for your consideration of this request.

Respectfully submitted,

*/s/ Erik Anderson*

EA:me  
cc: David Covey, Esq.

ERIK ANDERSON